IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

U.S. BANK NATIONAL ASSOCIATION,
AS TRUSTEE FOR GREENPOINT
MORTGAGE FUNDING TRUST
MORTGAGE PASS THROUGH
CERTIFICATES, SERIES 2006-AR4,

        Plaintiff,

        v.

MARY R. DUNHAM, *et al.*

        Defendants.

Case No. 6:15-cv-00046-MC

ORDER

MCSHANE, Judge:

As discussed in my March 16, 2015 order remanding this case to state court, Charles

Barker III improperly removed this action. ECF No. 17. I noted that under 28 U.S.C. § 1447(c),

Barker was liable for any costs and fees incurred by plaintiff U.S. Bank due to Barker's improper

removal. U.S. Bank seeks $6,307.50 in attorney fees resulting from the attempted removal.

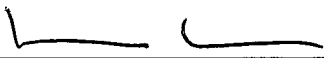Barker did not object to any of the requested fees and the time to do so has passed.

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As noted by U.S. Bank, the hourly rates sought for each attorney correspond with the median hourly rate customarily charged by real estate attorneys in the Portland area with similar years of experience. *See* ECF No. 25, ¶¶ 4-5. Attorneys for U.S. Bank spent 25.1 total hours on this matter. Under these circumstances, 25.1 hours spent on matters connected with Barker's improper removal is appropriate. Barker added greatly to the cost in large part by his repeated attempts to connect this action with his separate federal action in civil case 14-2050. For example, Barker filed a 23-page motion to consolidate and motion to strike. ECF No. 11. Barker's motion to consolidate forced U.S. Bank's attorneys to wade through Barker's voluminous filings in case number 14-2050. The complaint alone in that case consisted of 62 pages with 18 separate causes of action against 7 banking and lending institutions. In short, 25.1 hours spent on matters connected to the improper removal here are certainly reasonable.

U.S. Bank's motion for fees, ECF No. 24, is GRANTED. Barker is ORDERED to pay U.S. Bank $6,307.50 in fees reasonably incurred in connection with Barker's improper removal.

IT IS SO ORDERED.

DATED this __9__th day of July, 2015.

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Michael McShane
United States District Judge

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